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STATE OF TENNESSEE  
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
JOHNSON CITY ENVIRONMENTAL FIELD OFFICE  
2305 SILVERDALE ROAD  
JOHNSON CITY, TENNESSEE 37601-2162  
(423) 854-5400 STATEWIDE 1-888-891-8332 FAX (423) 854-5401

July 16, 2008

Mr. Steve Warner  
Division Operation Manager  
Airgas/Mid America, Inc.  
440 Industry Drive  
Kingsport, TN 37660

RE: Compliance Review Meeting, Dated July 15, 2008  
Unpermitted Discharge from Pond  
SOP-79049  
Sullivan County

Dear Mr. Warner:

A Compliance Review Meeting was conducted on July 15, 2008 in order to discuss previous Notices of Violation for the site referenced above, and what courses of action need to be taken by you for corrective action. A Compliance Review Meeting is the next step in enforcement proceedings. Present during the meeting were: TDEC representatives Jeff Horton, Tina Robinson, Bryan Carter and Carolyn Doyle; AirGas representatives Jim Lord and Steve Warner; Dan Wankel from the City of Kingsport; and Tysinger Hampton and Partners representatives Gary Tysinger and Shon Pritchard. The Compliance Review Meeting established the following courses of action to be taken by you by August 1, 2008:

Develop a corrective action plan to eliminate the discharge from the pond. Mr. Lord stated that Airgas would like to conduct a dye test to confirm that the pond is leaking. Division personnel must be notified in advance to monitor the test. Pond level must be at highest level (above storm drain elevation) before test can be conducted. Drinking Water Supply must be contacted prior to the dye test. Some of the corrective actions discussed during the meeting included (1) lining the pond, or (2) installing a recirculating system. Facilities, such as BAE, that might be able to use the high pH by/product from Airgas, were discussed.

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The first Notice of Violation was issued over seven months ago, therefore the Division expects a timely implementation schedule.

If you have any questions, please call me at 423/ 854-5453.

Sincerely,

A handwritten signature in cursive script, reading "Tina Robinson".

Tina Robinson  
Division of Water Pollution Control  
Johnson City Environmental Field Office

TAR/14038198

Cc: Enforcement and Compliance Section, Nashville  
Dan Wankel, City of Kingsport  
Shon Pritchard, Tysinger Hampton and Partners